

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

MICHAEL T. ELGIE,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 09-0375-KD-N
)
BIC USA, INC., *et al.*,)
)
Defendants.)

ORDER

After due and proper consideration of all pleadings in this file and a de novo determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636 and dated October 7, 2009 is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that the Plaintiff's Motion to Remand is **GRANTED** and that this action is **REMANDED** to the Circuit Court of Baldwin County, Alabama.

DONE and **ORDERED** this the 23rd day of **October 2009**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE